



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,402	01/17/2002	Jeffrey G. Anderson	14466-006001	1590

20985 7590 08/09/2005

FISH & RICHARDSON, PC
12390 EL CAMINO REAL
SAN DIEGO, CA 92130-2081

EXAMINER

TANG, KAREN C

ART UNIT PAPER NUMBER

2151

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,402

Applicant(s)

ANDERSON ET AL.

Examiner

Karen C. Tang

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/17/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/27/05, 5/30/02, 3/12/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, and 6- 11 and 13 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al hereinafter Anderson (US 2002/0194307) in view of Yoakum et al hereinafter Yoakum (US 2002/0194183).

1. Referring to Claims 1 and 8, Anderson discloses a computer implemented method for remote access to files for a local agent module, comprising:

polling a server for a task request (refer to 0020-0040);

receiving a task request from the server (refer to 0036-0040);

executing a task from the task request (refer to 0036-0040);

causing a file to be uploaded, the file identified in the task request, to a server (refer to

Anderson teaches client device attaches the document and sent it to the server is

equivalent the form of uploading the file, 0020 – 0040);

Anderson does not expressly indicate a schedule timer to expire, or does he teaches the repeating the above act, beginning with the act of polling.

Yoakum teaches a schedule timer to expire, or does he teaches the repeating the above act, beginning with the act of polling (refer to 0049).

Art Unit: 2151

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the timer within the system as well as repetition of the methods incorporate with Anderson's invention.

The suggestion/motivation for doing so would have been that it reduces the user actual processing time if there are timer given in the system so that the user would be given a chance to provide uploading process in case of system failure.

2. Referring to Claims 2 and 9, Anderson discloses

setting up local agent preferences (refer to 0049-0059);

setting up remote client preferences (refer to 0036-0040, 0060-0065);

initiating the act of polling, based on the local agent preferences (refer to 0031-0049);

and initiating an act of uploading based on the remote client preferences (refer to 0020 – 0040).

3. Referring to Claims 3 and 10, Anderson discloses wherein the act of polling occurs over a transmission control protocol/internet protocol stack, through functions specified in a simple object access protocol interpreter (refer to 0022, and 0064).

4. Referring to Claims 4 and 11, Anderson discloses wherein the act of executing the task includes:

initiating a request to a subsystem for the file (refer to 0028-0040);

and receiving the file from the subsystem (refer to 0037-0040).

5. Referring to Claim 6 and 13, Anderson discloses wherein the act of executing the task includes:

initiating a request to a message access protocol interface for the file from a message access protocol interface database (it is inherent the system comprises a database, refer to store information, refer to 0064);

and receiving the file from the message access protocol database (refer to 0063 and 0036-0040).

6. Referring to Claims 7 and 14, Anderson discloses wherein the act of uploading the file includes instructing the file to be sent to the server from the message access protocol database (refer to 0064 and 0036-0040).

7. Referring to Claim 15, Anderson discloses a task processor for polling a server for a task request, the task request identifying a file in a local computer (it is inherent that there are processors to performs tasks, refer to 0031 - 0040);

and one or more protocol stacks for communicating over a network with the server (refer to 0022, and 0064).

Anderson does not teach a schedule timer communicatively coupled to said task processor for controlling a task processor polling interval;

Yoakum teaches a schedule timer communicatively coupled to said task processor for controlling a task processor polling interval (refer to 0049);

Art Unit: 2151

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the schedule timer within the system for control the polling interval incorporate with Anderson's invention.

The suggestion/motivation for doing so would have been that it reduces the user actual processing time if there are timer given in the system so that the user would be given a chance to provide uploading process in case of system failure.

8. Referring to Claim 16, Anderson discloses wherein the one or more protocol stacks includes a transmission control protocol/internet protocol stack (refer to 0022, and 0064).

9. Referring to Claim 17, Anderson discloses wherein the one or more protocol stacks includes a simple object access protocol interpreters (refer to 0022, and 0064).

10. Referring to Claim 18, Anderson discloses comprising a subsystem for executing a task from the task request (refer to 0037-0040).

11. Referring to Claim 19, Anderson discloses configured to initiate a request to a message application programming interface database (refer to 0022-0040 and 0064).

12. Referring to Claim 20, Anderson discloses configured to receive a file from a message application programming interface database (refer to 0063 and 0036-0040).

Art Unit: 2151

Claim 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al hereinafter Anderson (US 2002/0194307) in view of Yoakum et al hereinafter Yoakum (US 2002/0194183) in further view of Official Notice.

1. Referring to Claims 5 and 12, Anderson discloses wherein the act of executing the task includes:

initiating a request to a subsystem for the file (refer to 0028-0040).

instructing the subsystem to upload the file to the server (refer to 0037-0040).

Anderson nor Yoakum do not expressly indicate receiving an indication that the file was uploaded to the server.

Official notice is taken that sending indication upon completion of data transmission was well known and widely before the time of applicant's invention was made.

This would have been obvious to an ordinary skill in the art to incorporate the well-known feature of sending the indication of completion of data transmission with Anderson, in order to reduce unnecessary delay at the sender.

The suggestion/motivation would be Anderson suggests features of notifying the user upon the completion of transmission (refer to 0081).

Conclusion

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Art Unit: 2151

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KT


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER